



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Carlucci et al.
Serial No.: 10/040,944
For: HAIR SETTING ASSEMBLY
Filed: January 9, 2002
Examiner: Jimmy G. Foster
Art Unit: 3728
Confirmation No.: 5138
Customer No.: 27,623

Attorney Docket No.: 884.0051USU

Mail Stop RCE
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

AMENDMENT TRANSMITTAL

We are enclosing a Preliminary Amendment and Request for Continued Examination in response to the communication dated September 23, 2004 in the above-identified application.

Petition for extension of time pursuant to 37 C.F.R. §§ 1.136 and 1.137 is hereby made if, and to the extent, required. The fee for this extension of time is calculated to be \$430.00 to extend the time for filing this response until November 22, 2004 (since November 21, 2004 falls on a Sunday).

The fee for any change in number of claims has been calculated as shown below.

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest Number Previously Paid	Present Extra	Rate	
Total Claims	30	Minus	25	5	x \$18.00	\$90.00
Independent Claims	6	Minus	4	2	x \$88.00	\$176.00
MULTIPLE DEPENDENT CLAIM FEE				x \$300.00 = \$		
TOTAL FEE FOR CLAIM CHANGES				\$266.00		
1/2 FILING FEE FOR SMALL ENTITY				\$N/A		

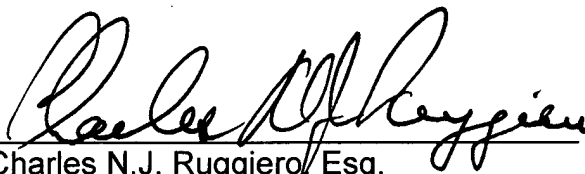
The total fee for this amendment, including claim changes, two-month extension of time fee, and request for continued examination fee is calculated to be \$ 1466.00.

_____ A check in the amount of \$ 0.00 is attached.

X The Commissioner is hereby authorized to charge the amount of \$1466.00 (claim fee \$266.00, two month extension of time fee \$430.00, request for continued examination fee \$790.00) and any additional fees under 37 C.F.R. §§1.16 and 1.17 which may be required with this communication or during the entire pendency of the application, or credit any overpayment, to **Deposit Account No. 50-1239**. A duplicate copy of this Form is enclosed.

November 22, 2004

Date



Charles N.J. Ruggiero, Esq.

Attorney for Applicant(s)

Registration No. 28,468

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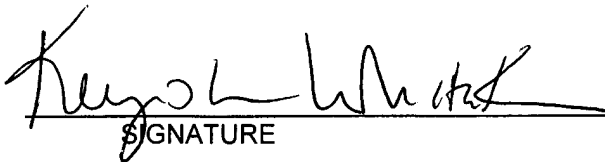
Telefax: (203) 327-6401

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE U.S. POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: MAIL STOP **RCE** COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON NOVEMBER 22, 2004.

Keysha Whitaker

NAME



SIGNATURE

11-22-04

DATE